

REMARKS

Claims 1-18 were pending and presented for examination and in this application. In an Office Action dated April 1, 2008, claims 1-18 were rejected. Applicant thanks the Examiner for examination of the claims pending in this application and addresses the Examiner's comments below.

Applicant is amending claims 1, 2, 7, 9, 10, 11, 17, and 18 in this Amendment and Response. These changes are believed not to introduce new matter, and their entry is respectfully requested. In making these amendments, Applicant does not concede that the subject matter of such claims was in fact disclosed or taught by the cited prior art. Rather, Applicant reserves the right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

In view of the Amendments herein and the Remarks that follow, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Objection Under 37 CFR 1.126

The Examiner notes in paragraph 1 of the Office Action that claim 19 has been renumbered 18 to account for missing claim 18. Applicant thanks the Examiner for the suggestion and agrees to the renumbering.

Response to Rejection Under 35 USC §102(b)

In the 3rd paragraph of the Office Action, the Examiner rejects claims 1-18 under 35 USC §102(b) as allegedly being anticipated by Brandt, U.S. Patent No. 5,892,905. This rejection is traversed.

Independent claims 1, 2, 7, 8, 9, 10, 11, 16, 17, and 18 all are directed towards secure encoding of data, including constructing a template agreed to for use by sender and receiver, the template including element references which in turn include encoding attributes that determine a data element to encode or decode and the representation of the data element, encoding data with reference to the template, and decoding the data with reference to the template. The claims and specification further set forth a variety of ways in which the encoding may be accomplished, including by re-encoding various elements of the data in a different numeric base (e.g. base-10 to base-36), by scrambling an element, by adding a check digit to an element, and the like. For example, paragraphs 0034 and 0036 of the specification provide examples of encoding the same data differently using two different templates.

Brandt discloses a system providing a common user interface across a number of different application programs over the world wide web. (Brandt, Abstract). The Examiner alleges that Brandt's HTML input forms, such as that in Brandt's Figure 11, constitute the claimed "template," with HTML tags and tag attributes such as `<INPUT TYPE="text" NAME="membno" Size 4>` constituting the claimed "element references" and "encoding attributes." (Office Action, paragraph 3). The Examiner further considers that submitting the HTML input form, which causes the variable values entered into the form to be sent from the client to the server, constitutes the claimed "encoding," and that the parsing by the server of the submitted data constitutes the claimed "decoding." Specifically, the cited "encoding" performed as part of the HTTP POST action produces output such as that of Brandt Figure 12, in which each variable value is literally output, prefixed by its variable name and an equals sign (e.g. "membno=1234" for a value of "1234" input into a field associated with the "membno"

variable), and such output is concatenated with that of the other variables, separated with ampersand characters (e.g. “membno=1234&lname=Doe”).

However, even assuming for the sake of argument that Brandt discloses some form of encoding and decoding, any “encoding” that is done is not of the types recited by the various claims. Again, in cited Figure 12 of Brandt, for example, the variable values are literally output as entered into the form, merely prefixed by the name of the variable and an equal sign, with ampersand characters for separators. Brandt fails to disclose any of the particular methods of encoding the data and individual elements thereof that are recited by the claims, as is now discussed in more detail below with respect to each of the independent claims.

Independent claims 1 and 10 as amended recite a method for secure encoding of data, the method comprising:

...
encoding data with reference to the template
...
wherein said template includes one or more element references... ; and at least one of the element references specifies that the encoded data include a **checksum**.

Independent claims 2 and 11 as amended recite a method for secure encoding of data comprising a set of elements, the method comprising:

...
encoding data with reference to the template, wherein said template includes one or more element references, each element reference corresponding to a data element of the set of data elements, said element reference including encoding elements which describe the encoding of the data, **wherein at least one of the encoding elements, but not all of the encoding elements, specifies including a check digit** along with the encoded form of its corresponding data element; and wherein encoding the data with reference to the template comprises encoding each data element of the set of data elements using a corresponding one of the element references
...

Independent claims 7 and 16 as amended recite a method for secure encoding of data comprising a set of elements, the method comprising:

...

decoding the data with reference to the template, wherein said template includes one or more element references, each element reference corresponding to an element of the set of elements, said element reference includes encoding elements which describe the encoding of the data and data elements which represent the encoded data; ... ; at least one of the encoding elements specifies that its corresponding element should be **scrambled prior to encoding**.

...

Thus, in claims 1 and 10, at least one of the element references of the template specifies that the encoded data include a **checksum**. In claims 2 and 11, the template with reference to which the data is encoded includes at least one element reference that specifies including a **check digit** along with the encoded form of the data element to which the element reference corresponds. In claims 7 and 16, the template with reference to which the data is encoded includes at least one element reference that specifies **scrambling** the data element to which the element reference corresponds.

As previously noted, to the extent that Brandt may be considered to show any “encoding” at all with reference to a template, it still does not disclose these specific types of encoding. It in no way discloses encoding in which an encoding element specifies including a checksum, as in claims 1 and 10, or a check digit, as in claims 2 and 11, or encoding with reference to a template that specifies scrambling its corresponding element, as in claims 7 or 16. Thus, Brandt fails to anticipate independent claims 1, 10, 2, 11, 7, or 16.

Independent claims 8 and 17 recite a method for secure encoding of data including encoding “wherein a data element is encoded **by representing the data in an**

alternate base.” For example, a data element may be output in base-36 encoding, as in the example of paragraph 0034 of the specification, which results in a decidedly different visual appearance and more compact encoding of the element.

Similarly, independent claims 9 and 18 recite a method for secure encoding of data including encoding “wherein an encoded dataset is reduced in size by the use of large numerical bases.”

The Examiner rejects claims 7-18 without considering the specific features recited therein, instead merely stating that the claims recite limitations “which are similar to those of claims 1-6” and that Brandt discloses various templates shown in Brandt’s figures. (Office Action, p. 3). Thus, the Examiner provides no explanation of how Brandt discloses such features as representation of data in an alternate base. Nor does Brandt disclose such features, instead disclosing only including the literal value of the variable as typed on the form, e.g. outputting “membno=1234” for a value “1234” input into a form field corresponding to the “membno” variable. This does not show representing data in an alternate base, and it actually increases the size of the dataset by prepending a variable name to the variable’s value, rather than reducing the size, as claimed.

Thus, Brandt fails to anticipate independent claims 8, 17, 9, or 18.

The remaining claims each depend, directly or indirectly, from one of independent claims 1, 2, 7, 8, 9, 10, 11, 16, 17, and 18, and recite additional patentably distinguishable features and limitations. Thus, they are patentably distinguishable from the reference for at least the same reasons discussed above with respect to their respective independent claims.

Conclusion

In sum, Applicant respectfully submits that claims 1-18, as presented herein, are patentably distinguishable over Brandt. Therefore, Applicant requests reconsideration of the basis for the rejections to these claims and requests allowance of them.

Note that Applicant has not substantively amended independent claims 8, 9, 17, or 19 to add new matter. Thus, any subsequent Office Action rejecting these claims based on a new ground of rejection may not be made final. MPEP 706.07(a).

In addition, Applicant respectfully invites the Examiner to contact Applicant's representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
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